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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

State of Utah et al. v. Google LLC et al.,
Case No. 3:21-cv-05227-JD

Case No. 3:21-cv-05227-JD

**STIPULATION AND [PROPOSED]
ORDER REGARDING STATES'
SECOND AMENDED COMPLAINT**

Judge: Hon. James Donato

1 Plaintiffs in *State of Utah et al. v. Google LLC et al.*, Case No. 3:21-cv-05227-JD (“States”) and Defendants Alphabet Inc., Google LLC, Google Ireland Limited, Google Commerce Limited, Google Asia Pacific Pte. Limited, and Google Payment Corp. (collectively, “Google”) stipulate as follows:

5 **RECITALS:**

6 1. On July 7, 2021, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Idaho, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Virginia, Vermont, Utah, Washington, and West Virginia filed a Complaint on behalf of themselves and as *parens patriae* on behalf of consumers in their respective states alleging that Google violated the federal Sherman Act and various state antitrust and consumer protection laws. Louisiana and Texas joined the action on November 1, 2021 when the First Amended Complaint was filed.

15 2. On November 28, 2022, the Court certified a damages class of consumers in the 17 states and territories not represented by the States litigating in *State of Utah et al. v. Google LLC et al.*, No. 3:21-cv-05227-JD (“Consumers”). The Court subsequently decertified the class on September 13, 2023.

19 3. After the Court indicated it would decertify the class, Alabama, Georgia, Hawaii, Illinois, Kansas, Maine, Michigan, Ohio, Pennsylvania, Puerto Rico, South Carolina, the U.S. Virgin Islands, Wisconsin, and Wyoming decided to join the settlement agreement reached amongst the States, Consumers, and Google.

23 4. All parties to the settlement agreement agreed that the States would seek Court approval to file a Second Amended Complaint bringing these additional states, commonwealths, and territories into *State of Utah et al. v. Google LLC et al.*, No. 3:21-cv-05227-JD. The parties further agreed that the newly joining jurisdictions would add parallel federal claims and could add parallel state-law claims.

1 5. The only other amendments the Second Amended Complaint will make are to
2 (i) update certain statutory citations as well as the names and contact information of the Attorneys
3 General and attorneys representing the States in this action, and to (ii) remove confidential
4 information included in the First Amended Complaint so that the Second Amended Complaint can
5 be filed publicly. A copy of the States' proposed Second Amended Complaint is attached hereto as
6 Exhibit 1. A redline reflecting changes from the First Amended Complaint is attached hereto as
7 Exhibit 2.

8 **NOW, THEREFORE, IT IS STIPULATED AND AGREED, SUBJECT TO THE**
9 **APPROVAL OF THE COURT:**

10 6. Within 14 days, The States will file a Second Amended Complaint that adds
11 Alabama, Georgia, Hawaii, Illinois, Kansas, Maine, Michigan, Ohio, Pennsylvania, Puerto Rico,
12 South Carolina, the U.S. Virgin Islands, Wisconsin, and Wyoming as additional plaintiffs in *State*
13 *of Utah et al. v. Google LLC et al.*, No. 3:21-cv-05227-JD.

14 7. The deadline for Google to answer the Second Amended Complaint is suspended.

15
16 DATED: December 18, 2023

Respectfully submitted,

17 **OFFICE OF THE UTAH**
18 **ATTORNEY GENERAL**
19 Brendan P. Glackin

20 By: /s/ Brendan P. Glackin
Brendan P. Glackin

21 *Counsel for the Plaintiff States*

22 **MUNGER, TOLLES & OLSON LLP**
23 Glenn D. Pomerantz

24
25 By: /s/ Glenn D. Pomerantz
Glenn D. Pomerantz

26 *Counsel for Defendants Google LLC et al.*
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

United States District Judge

E-FILING ATTESTATION

I, Jessica V. Sutton, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that the signatory identified above has concurred in this filing.

/s/ Jessica V. Sutton

Jessica V. Sutton